IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.1262 OF 2007

Santosh Ishwar Gaikwad ..Applicant

Vs.

State of Maharashtra ..Respondents

...

Mr.V.V.Purwant Advocate for Applicant
Mr.S.S.Pednekar A.P.P. for the State

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : MAY 03, 2007

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking anticipatory bail in C.R.No.54 of 2007 of Solapur Taluka Police Station. The said case is under Sections 328, 428, 483, 485, 486, 487 and 488 of IPC and Section 65(b)& (f) of the Bombay Prohibition Act.

3. It is the prosecution case that the applicant was found filling adulterated liquor in bottles. C.A. Report relating to the liquor does not show that there was any poisonous substance in the said

liquor. Hence, prima facie, Section 328 of IPC would not be attracted. The other Sections are bailable. In this view of the matter I am inclined to grant anticipatory bail to the applicant.

4. In the event of arrest, the applicant to be released on bail in the sum of Rs.30,000/- (Rs.thirty thousand only) with one or two sureties to make up the said amount in C.R.No.54 of 2007 of Solapur Taluka Police Station. The applicant shall report to the concerned Police Station once in a week till the conclusion of trial.

5. Application is disposed of.

[Smt. V.K.Tahilramani, J.]